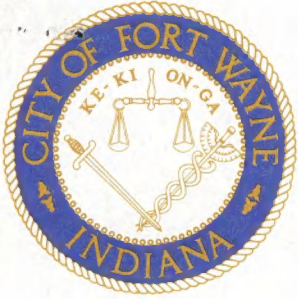


CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

BRADBURY P, BURNS P, EISBART P,
GIAQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.



The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

22 August 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-07-23

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
22nd day of August 1985.

Melvin O. Smith
Secretary

FACT SHEET

Bill No. Z-85-07-23

**Division of Community
Development & Planning****BILL NUMBER****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

1419 Getz Road

Reason for Project

Multi-family development

Discussion (Including relationship to other Council actions)July 15, 1985 - Public Hearing

Paul Raver, attorney representing the petitioner stated that this is approximately 8 acres. He stated they wanted the rezoning in order to put in an apartment project on the land. He stated that the land is being sold by Allen County Bank subject to the property being rezoned. Mr. Raver quoted the Comprehensive Plan which shows this area as a good location for medium density residential.

Duane Embury asked what type of apartments and what the density would be.

Mr. Raver stated that they have not decided on the type of development. He stated they would try to give the Commission more information on the development at the Business Meeting. He stated they wanted first to see if they could get the property rezoned before they went to the expense of preparing specific plans.

Duane Embury pointed out that this property would be draining into the Lawrence Drain.

POSITIONS**Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

City Department

Other

Opponents**Groups or Individuals**

Frank Welby/1606 Getz Road
Harry Jacobs/1511 Getz Road
Basis of Opposition

- added traffic congestion
- detriment to residential ar
- added pressure on sewers

**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation****By**☒ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

He questioned if the developers would be willing to agree to not remonstrate against the Lawrence Drain petition.

Mr. Raver stated that they would be willing to provide acceleration and deceleration lanes. He stated that they would be willing to participate in sidewalks along Getz Road. He stated that they feel strongly that apartments in this location would serve as a good buffer.

July 22, 1985 - Business Meeting

Motion to approve the rezoning. Of the 9 members present 8 voted in favor of the DO PASS, one did not vote, motion carried.

The following conditions were placed upon the approval:

- 1) A non-remonstration agreement, regarding Lawrence Drain improvements must be filed.
- 2) Sanitary sewer must be extended to serve the property.

Duane Embury received and had recorded an affidavit stating that the petitioners or any and all successors will agree not to remonstrate against the improvements to the Lawrence Drain.

Mr. Embury stated in a memo that the question of sanitary sewers to serve the area would be addressed at the time the development plan was reveiwed.

A copy of the affidavit is attached to the original rezoning and on file in City Plan.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date June 5, 1985

Projected Completion or Occupancy

Date August 22, 1985

Fact Sheet Prepared by

Patricia Biancaniello

Date August 22, 1985

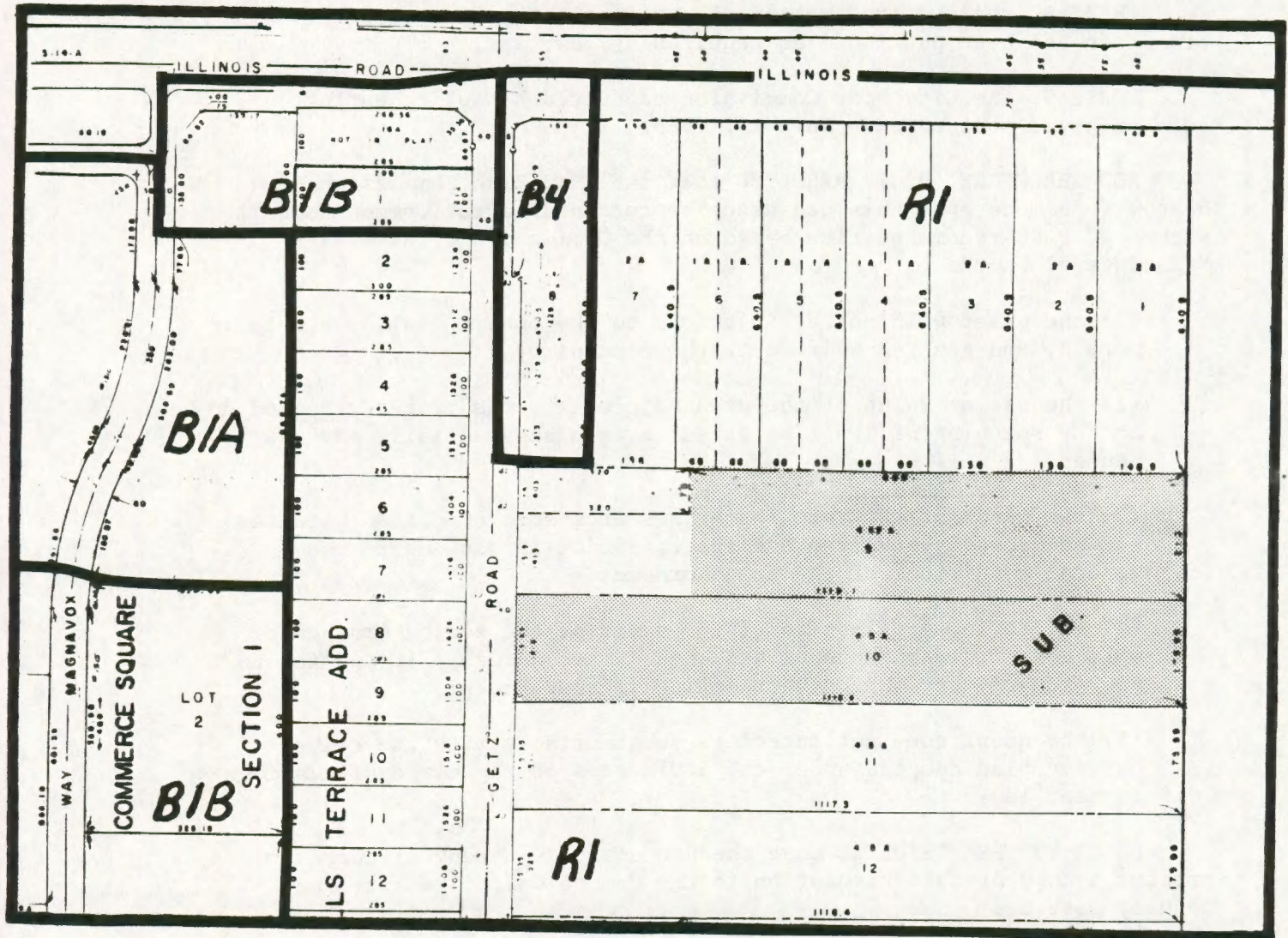
Reviewed by

Gary E. Baeten
Gary E. Baeten, Senior Planner

Date August 23, 1985

Reference or Case Number

LOCATION MAP FOR 1419 GETZ RD.

Zoning:

RI RESIDENTIAL DISTRICT
 BIB LIMITED BUSINESS 'B'
 B4 ROADSIDE BUSINESS
 BIA LIMITED BUSINESS 'A'

Land Use:

Bill No. Z-85-07-23



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 23, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-07-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 15, 1985;

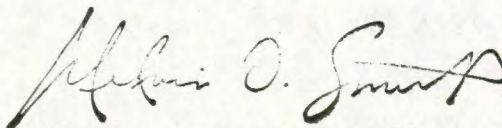
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 22, 1985.

Certified and signed this
22nd day of August 1985.



Melvin O. Smith
Secretary

COMMUNICATIONS FROM THE MAYOR

August 15, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, August 15, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of August 13, 1985.

(Bill No. S-85-07-14)
SPECIAL ORDINANCE NO. S-142-85

AN ORDINANCE approving Civil City Purchase Order #A-40690 and #A-40691 with May Stone and Gravel and Hixson Gravel and Sand, respectively, for the Street Department of the City of Fort Wayne, Indiana

(Bill No. S-85-07-15)
SPECIAL ORDINANCE NO. S-143-85

AN ORDINANCE approving Civil City Purchase Order #A-40693 with Traffic Supply, Inc., for the Traffic Engineering Department of the City of Fort Wayne, Indiana

(Bill No. S-85-07-16)
SPECIAL ORDINANCE NO. S-144-85

AN ORDINANCE approving Civil City Purchase Order Number #A-40692 with 3M Company, for the Street Engineering Department of the City of Fort Wayne, Indiana

(Bill No. R-85-07-18)
RESOLUTION NO. R-94-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-07-20)
RESOLUTION NO. R-95-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-08-08)
RESOLUTION NO. R-96-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-08-10)
RESOLUTION NO. R-97-85

A RESOLUTION authorizing the sale and conveyance of property owned by the City of Fort Wayne (General Electric Winter Street Plant)

(Bill No. G-85-07-30)
GENERAL ORDINANCE NO. G-18-85

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of a utility easement

(Bill No. G-85-06-31)
GENERAL ORDINANCE NO. G-19-85

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of an alley

(Bill No. G-85-06-32)
GENERAL ORDINANCE NO. G-20-85

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating dedicated utility easements

(Bill No. S-85-07-24)
SPECIAL ORDINANCE NO. S-145-85

AN ORDINANCE approving Contract for Res. #6020-85 - Spy Run Sidewalks, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Hipkind Concrete Corporation

(Bill No. S-85-07-25)
SPECIAL ORDINANCE NO. S-146-85

AN ORDINANCE approving Contract for Res. #6027-85, 1985 Resurfacing Project, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Dailey Asphalt

(Bill No. S-85-07-26)
SPECIAL ORDINANCE NO. S-147-85

AN ORDINANCE approving City Utilities Purchase Order #A-41049, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Reid Holcomb Company, for the City Utilities Garage

(Bill No. S-85-07-27)
SPECIAL ORDINANCE NO. S-148-85

AN ORDINANCE approving City Utilities Purchase Order #A-41048, by the City of Fort Wayne, by and through its Department of Purchasing and Tri-State Plumbing for the Water Maintenance and Service Department

Page 3

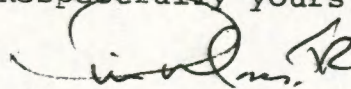
(Bill No. S-85-07-28)
SPECIAL ORDINANCE NO. S-149-85

AN ORDINANCE approving City Utilities Purchase Order #A-41050, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Preferred Products Company, for the Street Lighting Department

(Bill No. S-85-07-29)
SPECIAL ORDINANCE NO. S-150-85

AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana, by deleting Chapter 24 thereof and replacing therewith an entire new Chapter entitled "Sewers and Sewerage System"

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Win Moses, Jr.", is written over the closing "Respectfully yours,".

Win Moses, Jr.
Mayor

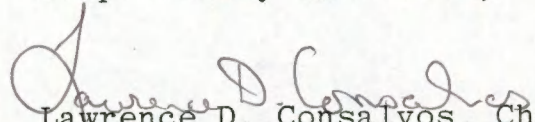
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 127/85/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,

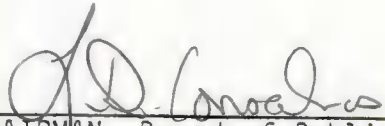
A handwritten signature in dark ink, appearing to read "Lawrence D. Consalvos", is written over the typed name.

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 127/85/E)

I hereby certify that I did this 20th day of August, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 127/85 E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 127/85/E

(Adopted August 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to ONE WAY STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ONE WAY STREET

(EMERGENCY)

Manito Boulevard -- eastbound -- from Brooklyn Avenue to Wawonaissa Trail

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 128/85/E
129/85/E
130/85/E
131/85/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

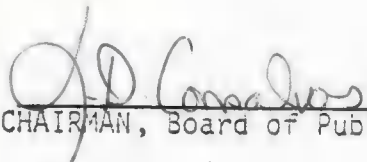
Respectfully Submitted,


Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 128/85/E
129/85/E
130/85/E
131/85/E)

I hereby certify that I did this 21st day of
August, 1985 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 128/85/E
129/85/E of the Board of Public
130/85/E & 131/85/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 128/85/E

(Adopted August 21, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 94/85/E: 30 MINUTE PARKING
8 A.M. - 6 P.M. (EMERGENCY) & DELETE: NO PARKING (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 21, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

30 MINUTE PARKING 8 A.M. - 6 P.M. (EMERGENCY)

Pontiac Street -- south side -- from 50 feet east of the east right-of-way line of Redwood Avenue to 200 feet west thereof

DELETE: NO PARKING (EMERGENCY)

Pontiac Street -- south side -- from 50 feet east of the east right-of-way line of Redwood Avenue to 200 feet west thereof

REGULATORY RESOLUTION NO. 129/85/E

(Adopted August 21, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 95/85/E: DELETE:

(TEMPORARILY) NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated August 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 21, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

~~DELETE:~~ (TEMPORARILY) NO PARKING (EMERGENCY)

Northside Drive -- east side -- from State Boulevard to 700 feet north thereof

REGULATORY RESOLUTION NO. 130/85/E

(Adopted August 21, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 96/85/E: IMPAIRED

MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated August 20, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 21, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

805 Kinsmoor Avenue -- south side -- from 215 feet east of Indiana Avenue to 20 feet east thereof

(Adopted August 21, 1985)

AND,

Getz Road -- from Illinois Road to West Jefferson Boulevard except at Illinois Road, Covington Road, and West Jefferson Boulevard.

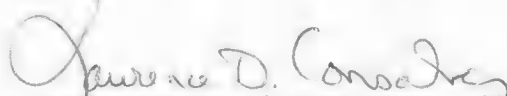
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 132/85/E
133/85/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

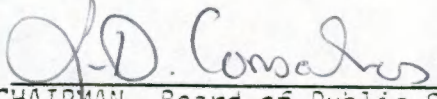
Respectfully Submitted,


Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 132/85/E
133/85/D)

I hereby certify that I did this 26th day of
August, 1985 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 132/85 E
133/85/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

(Adopted August 26, 19 85)

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to STOP INTERSECTION (EMERGENCY)

Vermont Avenue -- stop -- for Pemberton Drive

REGULATORY RESOLUTION NO. 133/85/D

(Adopted August 26, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-52 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION
(DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 23, 19 85, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-52 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective August 26, 19 85, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

Pemberton Drive -- preferential -- at Vermont Avenue

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of August, 1985, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 29th day of August, 1985,

SANDRA E. KENNEDY, CITY CLERK